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PTO/SB/05 (03-01)

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UTILITY
PATENT APPLICATION
TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. 3140-008

First Inventor AKISHIBA

Title NON-CONTACT TYPE PROFILE MEASURING APPARATUS

Express Mail Label No. EL795622435US

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original and a duplicate for fee processing)2. Applicant claims small entity status.
See 37 CFR 1.27.3. Specification [Total Pages 29]
(referenced arrangement set forth below)
- Descriptive title of the invention
- Cross Reference to Related Applications
- Statement Regarding Fed sponsored R & D
- Reference to sequence listing, a table, or a computer program listing appendix
- Background of the Invention
- Brief Summary of the Invention
- Brief Description of the Drawings (if filed)
- Detailed Description
- Claim(s)
- Abstract of the Disclosure4. Drawing(s) (35 U.S.C. 113) [Total Sheets 7]5. Oath or Declaration [Total Sheets]a. Newly executed (original or copy)b. Copy from a prior application (37 CFR 1.63 (d))
(for continuation/divisional with Box 18 completed)i. DELETION OF INVENTOR(S)
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).6. Application Data Sheet. See 37 CFR 1.76ADDRESS TO: Assistant Commissioner for Patents
Box Patent Application
Washington, DC 202317. CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)8. Nucleotide and/or Amino Acid Sequence Submission
(if applicable, all necessary)a. Computer Readable Form (CRF)

b. Specification Sequence Listing on:

i. CD-ROM or CD-R (2 copies); orii. paperc. Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. Assignment Papers (cover sheet & document(s))10. 37 CFR 3.73(b) Statement (when there is an assignee) Power of Attorney11. English Translation Document (if applicable)12. Information Disclosure Statement (IDS)/PTO-1449 Copies of IDS Citations13. Preliminary Amendment14. Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)15. Certified Copy of Priority Document(s)
(if foreign priority is claimed)16. Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.17. Other: ...Certificate of Mailing.

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

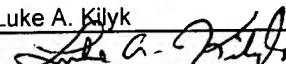
 Continuation Divisional Continuation-in-part (CIP) of prior application No.: _____

Prior application information: Examiner _____ Group Art Unit: _____

For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS

 Customer Number or Bar Code Label (Insert Customer No. or Attach bar code label here) or Correspondence address below

Name	Luke A. Kilyk			
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Name (Print/type)	Luke A. Kilyk	Registration No. (Attorney/Agent)	33,251	
Signature			Date	October 10, 2001

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

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Certificate of Mailing By "Express Mail" (37 CFR 1.10) Applicant(s) Yuji AKISHIBA		Docket No. 3140-008	
Serial No. New Appln.	Filing Date October 10, 2001	Examiner Unassigned	Group Art Unit Unassigned
<p>Title of Invention: NON-CONTACT TYPE PROFILE MEASURING APPARATUS</p> <p>I hereby certify that the following correspondence: Utility Patent Application Transmittal Form; Specification, Claims & Abstract (29 pages); 7 Drawing Sheets (Figs. 1-4, 5A-5C, 6A-6C, and 7); Submission of Claim of Priority; and Certificate of Mailing</p> <p>are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: Assistant Commissioner for Patents, Washington, DC 20231.</p>			
<p>Date: October 10, 2001</p> <p><u>Sandra Stocklinski</u> Typed or Printed Name of Person Mailing Correspondence</p> <p><u>Sandra Stocklinski</u> Signature</p> <p><u>EL795622435US</u> ("Express Mail" Mailing Label Number)</p>			

Date October 10, 2001 Express Mail Label No. EL795622435US

I hereby certify that, on the date indicated above, I deposited this paper with identified attachments and/or fee with the United States Postal Service and that it was addressed for delivery to the Assistant Commissioner for Patents, Washington, D.C. 20231 by "Express Mail Post Office to Addressee" service.

Sandra Stocklinski

Name of Person signing Certificate Signature

Sander Stocklinski

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:)
Yuji AKISHIBA) Art Unit: Unassigned
Application Number: Unassigned)
Filed: October 10, 2001) Examiner: Unassigned
For: NON-CONTACT TYPE PROFILE MEASURING APPARATUS)

For: NON-CONTACT TYPE PROFILE MEASURING APPARATUS

SUBMISSION OF CLAIM OF PRIORITY

Assistant Commissioner of Patents
Washington, DC 20231

October 10, 2001

Sir:

The benefit of the filing date of October 10, 2000 of the following prior Japanese Patent Application is hereby requested for the above-identified application, and the priority provided in 35 U.S.C. 119 is hereby claimed:

Japanese Patent Application No. 2000-309944 filed October 10, 2000.

In support of this claim, the requisite certified copy of said original Japanese Patent Application No. 2000-309944 will be timely filed.

In the event that any fees are due in connection with this paper, please charge such fees to our Deposit Account No. 50-0925.

Respectfully submitted,

Luke A. Kilyk
Reg. No. 33,251

Atty. Docket No. 3140-008
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